

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

SHAWN DEMETRIS BRAGG ROSS,

Plaintiff,

v.

UNKNOWN MILLER, et al.,

Defendants.

Case No. 2:22-cv-94

HON. JANE M. BECKERING

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**ORDER**

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Defendants filed a Motion for partial summary judgment based on Plaintiff's failure to exhaust his administrative remedies (ECF No. 33). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (ECF No. 50) on September 3, 2024, recommending that this Court grant the motion and further recommending that the Court decline to exercise supplemental jurisdiction over Plaintiff's state claims against Defendants Watson, Montie, and Duncan. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 50) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion for partial summary judgment based on Plaintiff's failure to exhaust his administrative remedies (ECF No. 33) is GRANTED, and

Plaintiff's federal claims against Defendants Watson, Montie, and Duncan are DISMISSED WITHOUT PREJUDICE.

**IT IS FURTHER ORDERED** that the Court declines to exercise supplemental jurisdiction over Plaintiff's state-law claims against Defendants Watson, Montie, and Duncan, which are DISMISSED WITHOUT PREJUDICE. Defendants Watson, Montie, and Duncan are therefore TERMINATED from this action.

Plaintiff's Eighth Amendment claim of excessive force and state-law claims against Defendant Miller remain in this case.

Dated: October 3, 2024

/s/ Jane M. Beckering  
JANE M. BECKERING  
United States District Judge